

# BRIXHAM TOWN COUNCIL

## ANNUALISED HOURS GUIDANCE



### 1 INTRODUCTION

- 1.1 This policy sets out the principles for the operation of annualised hours. It should be read in conjunction with your contract of employment.
- 1.2 Annualised hours provide a range of benefits for both the Town Council and its staff, including:
  - A flexible approach to meeting the business needs of a particular service
  - An aid to both the retention of the current workforce and where appropriate, the recruitment of new staff
  - Easier adoption of the principles relating to working time within the 'EU Working Time Directive'

### 2 PRINCIPAL GUIDELINES

- 2.1 A "year" under the annualised hours system normally begins on 1 April each year and ends on 31 March.
- 2.2 Your contract of employment will state how many hours you are contracted to work each year.
- 2.3 Hours under the annualised hours system are based on 260 working days in the year (excluding weekends). Staff who work full-time (which equates to 37 hours per week averaged across the year) are therefore contracted to work 1924 hours per year. Staff who work part-time (i.e. less than 37 hours per week averaged across the year) will be contracted to work a pro-rata equivalent number of hours.
- 2.4 Your allocated holiday entitlement and public/bank holidays will be deducted from your contracted annualised hours.
- 2.5 Staff who are employed on an annualised hours contract will not be able to take flexi-leave.

### 3 WORKING PATTERN

- 3.1 Your start and finish times may be varied, with no corporate core hours of attendance being defined. In most cases, hours will be worked between 8.00 am and 5.00 pm Monday to Friday. Hours worked outside of 8.00 am to 5.00 pm Monday to Friday will still be credited to your annualised hours if you are required by the Town Clerk to work at these times. The Town Clerk will need to ensure that adequate service provision is available during the Town Council's normal office hours, which are 8.00 am to 5.00 pm Monday to Friday.
- 3.2 Both you and the Town Clerk will need to ensure that by the end of the 'annualised hours' year, no more than 37 hours credit or debit will be carried forward to the next year (pro rata for part-time employees). Payment for credit hours in excess of 37 hours at the end of the annualised leave year will not be available. Likewise, there will not be a reduction in pay for any deficit number of hours. Credit or debit hours of

37 (pro rata if you work part-time) or less will be carried forward to the next annualised hours year.

- 3.3 In order to assist both you and the Town Clerk to manage your hours effectively, you will be provided with an indicative rota outlining your cumulative 'target' hours for each month, based on whether you are working on a full-time or part-time basis.
- 3.4 Both you and the Town Clerk have a joint responsibility to monitor your working hours to ensure that you are not working excessively over or under your cumulative target hours and linking this with the need for continued service provision. There will be no mandatory need to have worked a minimum or maximum number of hours in any one month (i.e. there will be no loss of excessive hours worked in any month and no penalty for an excessive number of reduced hours worked in any month).
- 3.5 In accordance with the Working Time Regulations 1998, no employees should work over 48 hours average during a 17-week period and should ensure that their working hours allow for a period of at least 11 hours between working days.

#### **4 REST BREAKS**

- 4.1 A minimum of 30 minutes rest break must be taken each day if you work over and above 6 hours for that day. This break must be taken approximately half way through the working day, i.e. it cannot be taken at the beginning or end of the day to enable you to start later or finish early.

#### **5 RECORDING HOURS WORKED**

- 5.1 You will be required to record your actual start and finish times and rest breaks on your time recording sheet. A hard copy of the timesheet will be provided to you at the start of each week. You will also be given login details to give you access to the Town Council network to enable you to complete your electronic timesheet.
- 5.2 Absence for attendance at day or block release courses, non-residential and residential training courses or conferences shall be credited for the actual time spent (including travelling time starting and ending at the Council office).

#### **6 ANNUAL LEAVE AND PUBLIC / BANK HOLIDAYS**

- 6.1 Your contract of employment will detail how much paid annual leave you are entitled to. Your timesheet will show the annual leave calculated in hours. Please refer to the Leave Policy for specific guidance on taking annual leave.
- 6.2 You are entitled to eight paid public / bank holidays a year, the dates of which vary from year to year. You will be given an allowance in hours for public / bank holidays (pro rata if you work part-time). Bank / public holidays will automatically be booked off using this allowance (based on the equivalent of your 'standard working day') for each public/bank holiday which falls on a day that you would usually work. Please see annex one.
- 6.3 In addition, you are entitled to two statutory days (pro rata if you work part-time).

## **7 SICK ABSENCE**

- 7.1 You contract of employment will detail how much paid sick absence you are entitled.
- 7.2 The hours allocated on your timesheet for sick absence will be based on the indicative rota which would have been provided to you on the commencement of your employment. The indicative rota will be reviewed on a regular basis and any changes will be discussed with you prior to implementation.

## **8 STANDARD WORKING DAY**

- 8.1 The Town Clerk will advise you of your standard working day for the purpose of booking leave, bank holidays, or for absence due to sickness, etc. For full-time staff, this will be 7.4 hours. Staff who work part-time will have a pro rata equivalent stated.

## **9 PAY**

- 9.1 Your annual salary will be paid in equal monthly instalments at the rate stated in your contract of employment, regardless of the actual number of hours worked during the relevant period.

## **10 OVERTIME**

- 10.1 Under the annualised hours policy, no time off in lieu will be agreed until you have completed your contracted hours for the year. The Town Clerk will only agree time off in lieu where an employee has worked in excess of their annualised hours in accordance with the TOIL Policy.

## **11 TERMINATION OF EMPLOYMENT PART WAY THROUGH YEAR**

- 11.1 In the event that you leave the Town Council part way through the annualised hours year, both you and the Town Clerk should make every effort to ensure that you have worked the required number of target hours for the proportion of the year by your date of leaving. You will be paid for any hours worked over and above your required hours for the proportion of the year. Likewise, if you have not worked the required number of hours, your final salary will be deducted by the number of hours you are in deficit.

## **12 REVIEW OF THE ANNUALISED HOURS POLICY**

- 12.1 The operation and control of the policy shall be subject to regular review and will be checked on an ad hoc basis by the Town Clerk and Evaluation Committee.

**Adopted  
Reviewed**

## ANNEX ONE – HOLIDAY ENTITLEMENT CALCULATIONS

The leave entitlement for every employee will be contained in their contract of employment. For full time staff the calculation is straightforward, but it can be a bit more complicated for part time staff.

### PART-TIME STAFF

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2002 require that part time workers receive no less favourable terms and conditions than comparable full timers, without objective justification. Part-time workers will therefore have an entitlement to an equivalent pro-rata entitlement to annual leave and bank holidays as that of full-time colleagues.

### CALCULATION OF ANNUAL LEAVE ENTITLEMENT FOR PART-TIME EMPLOYEES

All leave entitlement for employees is calculated in hours. The example below shows the method used to calculate the pro-rata annual leave entitlement for a part-time employee.

#### Example Annual Leave Entitlement Calculation for a Part-time employee:

- Works 15 hours a week

The hours the employee works

15

x

The normal working hours in a day.  
(This converts the annual leave entitlement into hours)

7.4

x

21

=

63 hours

37

The number of hours in a full time week

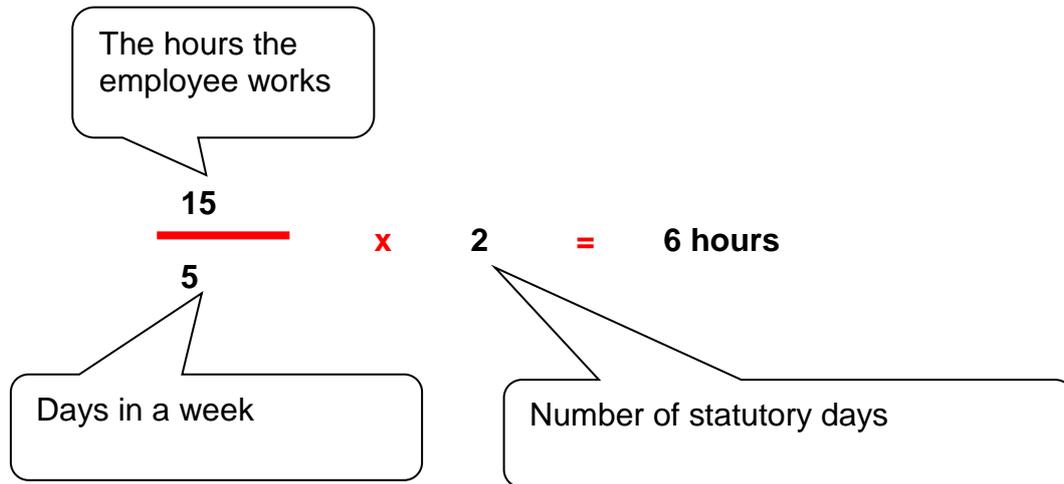
The annual leave entitlement of an equivalent full time employee (days)

## CALCULATION OF STATUTORY DAYS ENTITLEMENT FOR PART-TIME EMPLOYEES

All leave entitlement for employees is calculated in hours. The example below shows the method used to calculate the pro-rata annual leave entitlement for a part-time employee.

### Example Statutory Days Entitlement Calculation for a Part-time employee:

- Works 15 hours a week



## CALCULATION OF BANK HOLIDAY ENTITLEMENT FOR PART-TIME EMPLOYEES

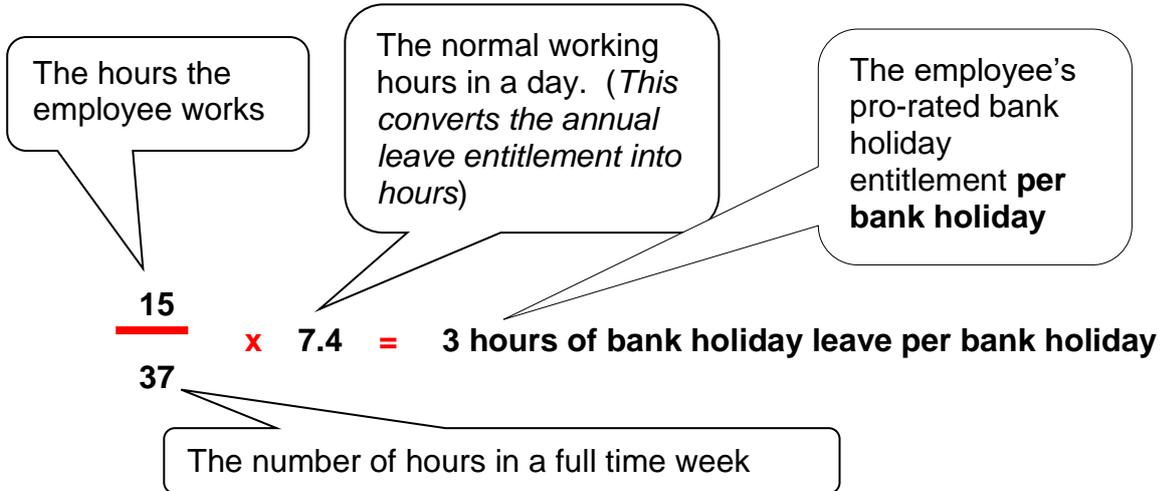
Bank holiday entitlement for part-time employees is also calculated in hours. The example below shows the method used to calculate the pro-rata bank entitlement for a part-time employee

### Example Bank Holiday Entitlement Calculation for A Part-time Employee:

- Works 15 hours a week

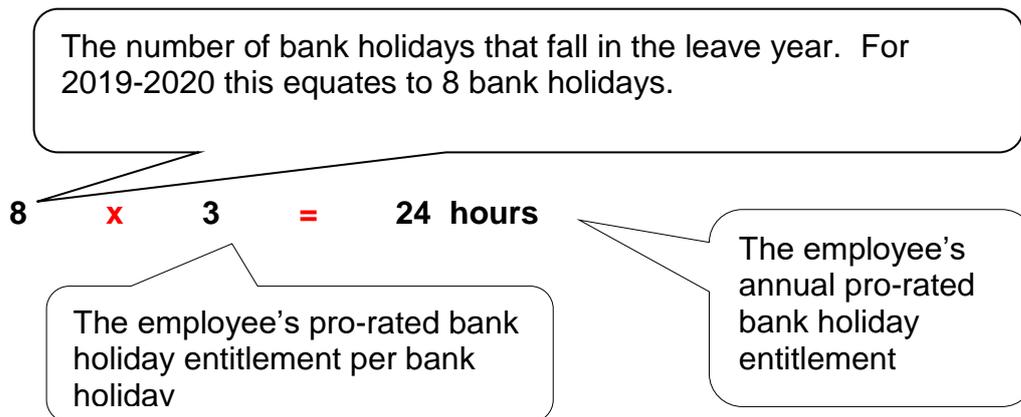
#### Step 1

Employee's pro-rated bank holiday leave entitlement **per bank holiday**



#### Step 2

Employee's **annual** pro-rated bank holiday entitlement



When a bank holiday falls on a day the part-time employee is due to work, the number of hours they would have worked on that day is deducted from their total annual leave entitlement.

If a bank holiday falls on a day that the employee is not due to work, or if an employee works on a bank holiday, the hours will not be deducted from the employee's leave entitlement.

The Town Clerk will, at the beginning of the leave year, provide a holiday chart for each employee which shows their holiday, statutory days and bank holiday entitlement. In addition, the Town Council office is closed over Christmas and holiday will be deducted from their annual leave entitlement.

An example of this is below:

**Annual Leave Calculation:**

Annual Leave	63.00
Statutory Days	6.00
Bank Holiday	24.00
Carried Over	0
<b>Total Leave Entitlement (Hours)</b>	<b>93.00</b>

**Holiday Chart:**

<b>Total Holiday Allowance</b>	<b>93.00</b>
Hours used	15.00
<b>Remaining</b>	<b>78.00</b>

<b><u>Annual Leave</u></b>	<b><u>Hours</u></b>
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**Christmas Break**

Tuesday 24th December	0
Friday 27th December	7.5
Monday 30th December	0
Tuesday 31st December	0

**Bank Holidays**

Friday 19th April	7.5
Monday 22nd April	0
Monday 6th May	0
Monday 27th May	0
Monday 26th August	0
Wednesday 25th December	0
Thursday 26th December	0
Wednesday 1st January	0

**Holidays**